

Amendment No. 1 to HB0138

**Halford
Signature of Sponsor**

AMEND Senate Bill No. 1337

House Bill No. 138*

by deleting Section 2 and substituting instead the following:

SECTION 2. Tennessee Code Annotated, Section 59-4-301(c), is amended by designating the existing language as subsection (d) and adding the following language as a new subsection:

(c)

(1) As used in this section:

(A) "Mining site" means all mines and the surrounding property used in mining operations; and

(B) "Qualified assistant" means a person who is designated by the owner or operator to ensure that all legal, safety, and compliance standards are enforced.

(2) A qualified assistant shall have the ability, training, knowledge, and experience to ensure compliance with all legally imposed safety standards.

(3) A qualified assistant must be able to effectively communicate legally imposed safety standards to all persons present at the mining site.

(4) A qualified assistant shall have the same authority as the foreman when the foreman is not present at the mining site.

(5) A qualified assistant shall not be considered an agent or representative of the owner or operator for the purposes of § 59-4-302.

(6) More than one (1) person may be designated as a qualified assistant, if circumstances or logistics related to the mining site so require.

(7)

Agriculture and Natural Resources Committee 1

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(A) The designation by the owner or operator of a qualified assistant shall be in writing and specify the beginning and end dates of the designation.

(B) The written designation required under subdivision (c)(7)(A) shall be prominently displayed at the office of the foreman on site, or displayed in such a manner that persons present at the mining site have actual notice of the designation.